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### **Penalty Imposure in Soviet Ukraine Courts During the Period of Agricultural Collectivization**

Grounds for penalty imposure in Soviet Ukraine courts during the period of agricultural collectivization are defined. Motivation of «penalty» term replacement with the «social protection measures» in the scientific terminology is analyzed.

It is established that according to the requirements set by the USSR Criminal Code (1927) court was authorized to prescribe the social protection measures within the limits of sanctions under articles of Special Part of USSR Criminal Code classifying the accused person's actions. Classification requirements of separate actions and provisions regulating application of basic and secondary social protection measures were interpreted through legal acts issued by the USSR Justice Commissariat and USSR Supreme Court.

USSR courts were required to apply the abovementioned measures in recognition of General Part articles (USSR Criminal Code). It is identified that during the collectivization period USSR courts applied liberally Article 34 of the Criminal Code targeted at complete elimination of middle-class («kulaks»). It is established that some norms of Special Part contain provisions defining only

upper or lower limits of social protection measures application – it means that USSR courts referred to relevant articles of General Part of USSR Criminal Code.

Another factor which directly influenced the applied measures was the accused person. Data for the court to be identified were strictly regulated by the relevant legal acts – among the most important was the requirement to identify the social status of accused, mention it in the verdict and use it as a ground for appropriate social protection measures application.

**Keywords:** principles of sentencing; measures of social defense; Court of the USSR; crime; sanction; collectivization.